FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

CIVIL APPLICATION NO. 4993 OF 2006
IN
FIRST APPEAL NO. 1548 OF 2006.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders. :	: : : :	Court's or Judge's orders

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Vivek Salunkhe i/b. P.B.Shah
for the applicant.

Ms.Ghotekar i/b. N.G.Ghotekar
for respondent No.1.

CORAM: D.B.BHOSALE, J.

DATED: 23rd November 2006.

P.C. :

. Heard learned counsel for the parties.

2. By this civil application, the applicant is seeking liberty to withdraw the amount deposited by respondent No.1-insurance company. The applicant is working in the bank. Keeping that in view and considering the defence raised by the insurance company that they are not liable to pay at all since the vehicle had not been insured at the relevant time, prayer made in the civil application cannot and need not be granted. The interest of

justice would be served if the amount is invested in fixed deposit in any nationalised bank.

3. In the circumstances, trial Court is directed to pass appropriate order with respect to investment of amount deposited by respondent No.1, if not passed already, within four weeks from today.

4. Hearing of the appeal is expedited.

5. Civil application stand disposed of accordingly.

(D.B.BHOSALE, J.)